

Entered -07-09-01 - sb
CL 01L0429 - GWENDOLYN BURNS

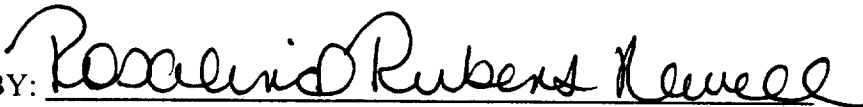
CLAIM OF:

01-R-1839

LINDA A. PARRISH
4747 Layfield Drive
Atlanta, Georgia 30338

For damages alleged to have been sustained when a vehicle was driven over a sewer construction site that was not properly covered in the roadway on June 5, 2001 at Peachtree Dunwoody Road, NE & Haven Oaks Court, NE (3740 Peachtree Dunwoody Road, NE).

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0429

Date: October 30, 2001

Claimant /Victim LINDA A. PARRISH
BY: (Atty) (Ins. Co.) _____
Address: 4747 Layfield Drive, Atlanta, Georgia 30338
Subrogation: _____ Claim for Property damage \$ 374.46 Bodily Injury \$ _____
Date of Notice: 7/2/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/5/01 Place: Peachtree Dunwoody Rd. & Haven Oaks Ct. (3740 Peachtree Dunwoody Rd.)
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a sewer construction site in the roadway that was left open and in an unsafe manner. However, an investigation determined that an outside contractor performed work at the incident location. The claimant has been notified and her claim has been forwarded to the contractor for immediate resolution.

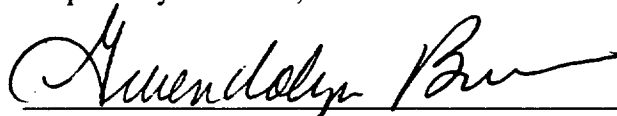
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

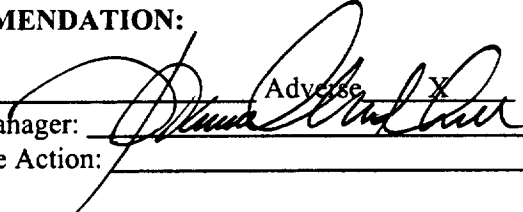
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 10-31-01
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: **RECEIVED**

JUL 02 2001

Dear Municipal Clerk:

ENTERED - 7-9-01 - SB

0110429 - GWEN BURNS

MUNICIPAL CLERK

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 374.46 proper and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: June 5, 2001 (month/day/year) 2. Time of Incident: 11:45am 3. Police called: X Yes No

Pothole located .2 miles north of Peachtree Dunwoody Rd. between Haven Oaks Court + Peachtree Road

4. Location of incident (including street address): incident 5. Name of your insurance company: N/A - Not covered by insurance Policy No. _____

6. State what and how incident occurred: I hit a large pothole (impossible to see) on Peachtree Dunwoody Rd. Blew out front left tire; had to drive on the rim to BP station on P'tree (.2 miles). Rear left tire had large impact bruise + car had to be realigned b/c of impact

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Acura Legend 1991 4133868 Linda A. Parrish
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Jason Marbutt BP Station 404-266-1554
See attached (Name) (Address) (Telephone Number)
Statement 3639 Peachtree Rd
Atlanta 30309

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Linda A. Parrish
Signature of Claimant

Linda A. Parrish
(Print Claimant's Name)

4742 Layfield Drive
(Address)

Atlanta, GA 30338
(City, State and Zip Code)

404-572-4670 770-393-4747
(Work Number) (Home Number)

LINDA A. PARRISH

**4747 Layfield Drive
Atlanta, GA 30338
404-572-4670 (office)
770-393-4747 (home)**

June 11, 2001

Council of the City of Atlanta
Municipal Clerk
City Hall
55 Trinity Avenue, S.W.
Atlanta, GA 30335

Re: Claim for Damages

Dear Municipal Clerk:

I am requesting reimbursement in the amount of \$374.46 for the replacement of two tires and a car alignment due to hitting a pothole on Peachtree Dunwoody Road on June 5, 2001. The pothole was located between Haven Oaks Court and Peachtree Road, approximately two-tenths of a mile north of the intersection of Peachtree Road and Peachtree Dunwoody Road.

There was a rectangular gravel/dirt patch straddling both north and south-bound lanes. The pothole was located in the upper right corner of the southbound side of the patch. My left front tire caught the hole and immediately blew out. After walking to the BP station and learning that no one could come help, I had to drive on the rim to the BP station where they put on my spare tire. I learned that at least four other people had been to the station in the last two days with blown tires as a result of the same pothole.

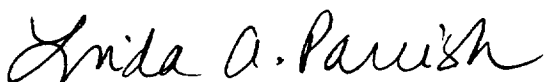
I then drove to Dekalb Discount Tire. In addition to replacing my left front tire, I learned that my left rear tire had a huge impact bruise and had to be replaced. My car was also severely out of alignment as a result of hitting the pothole, which required a 4 wheel alignment.

Enclosed are the following:

- Claim for Damages
- Copy of tag receipt
- Receipt from Dekalb Discount Tire for new tires and alignment
- Alignment report and statement of damages from Dekalb Tire
- Signed statement from mechanic Jason Marbutt at BP CarCare
- Pictures of the pothole

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,



Linda A. Parrish